

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIARAYMOND WRIGHT,
Plaintiff,

v.

W.L. MUNIZ,
Defendant.

Case No. 15-cv-01910-JST (PR)

ORDER OF DISMISSAL

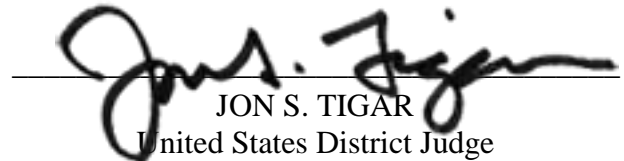
This action was opened when plaintiff sent a declaration to the Court complaining that he was being denied “milestone credits,” which would advance his release date. In an effort to protect his rights, a new action was opened and the declaration was filed on April 29, 2015. Dkt. 1. Plaintiff was informed that he had not filed a complaint, and was given 28 days to do so. He also was sent a notice that he had not paid the filing fee or applied for leave to proceed in forma pauperis (IFP), and was given 28 days to either pay the fee or file the application.

Although plaintiff submitted an IFP application, he also sent a response in which he stated that he had not intended to file a new civil action. Dkt. 4. Rather, according to the response, plaintiff intended to file the declaration in his pending habeas action, Wright v. Muniz, case number 15-cv-1600 HSG (PR), but he was unable to provide the Court with a case number because it had just recently been transferred from the United States District Court for the Eastern District of California. Plaintiff has also filed a “supplemental declaration.” Dkt. 5

1 In light of plaintiff's response clarifying that he had not intended to file a new civil action,
2 this action is DISMISSED. No fee is due because the action was opened in error. The Clerk is
3 instructed to file docket numbers 1 and 5 of these proceedings in case number 15-cv-1600 HSG
4 (PR). The Clerk shall also administratively terminate plaintiff's motion for leave to proceed IFP
5 (dkt. 6) and close the file.

6 **IT IS SO ORDERED.**

7 Dated: May 20, 2015

8 
9 JON S. TIGAR
United States District Judge

United States District Court
Northern District of California